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% 10.08.2007

Present: Mr Deepak Thukral for the Plaintiff.
Mr Sheetesh Khanna for the Defendant.

+ **IA No. 8853/2007 in CS (OS) 1045/2007**
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This is an application under Order 23 Rule 3 read with Section 151 of the Code of Civil Procedure, 1908 for recording a compromise and for passing a decree based on the said compromise. As per the application, the plaintiff and the defendants have entered in a compromise and they have settled the disputes in respect of the suit property and that the terms of the compromise have been reduced into writing. A compromise deed has been executed on 23.07.2007. The same has been enclosed with the application as Annexure-A. The deed of compromise has been executed by all the parties. In terms of the compromise it has been settled that both the plaintiffs and the defendants are owners in possession of the suit premises to the extent of a 1/4th share each. All the parties have signed the present application barring one (Rajni Sharma), who has affixed her thumb impression. The counsel for the parties identified the signatures of their respective clients. The compromise deed is also executed in the presence of two witnesses, namely, Ms Anjana Mehra, Advocate and Mr Anilesh Chander Gaur, both of whom have also signed the compromise deed as

Signature Not Verified
Certify that the digital file and physical file have been compared and the digital data is as per the physical file and no page is missing.

witnesses. Affidavits in support of application have also been filed on behalf of all the five parties.

I see no reason as to why a decree cannot be passed on the basis of the compromise. Accordingly, the suit is decreed in terms of the compromise deed arrived at between the parties. The application as well as the Annexure-A (Deed of Compromise) shall be marked as Exhibit C-1 and shall form part of the decree.

This application as well as the suit stand disposed of. The next date fixed in the matter shall stands cancelled.

BADAR DURREZ AHMED
(JUDGE)

August 10, 2007
SR